

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2898 of 2023

Arising Out of PS. Case No.-139 Year-2022 Thana- TANKUPPA District- Gaya

ARVIND YADAV S/o Sanjay Yadav R/o Village- Mocharak, P.S.- Fatehpur,
Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-03-2023 Heard learned counsel for the petitioner and learned
APP for the State in virtual court proceeding.

Petitioner seeks bail in a case registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Amendment Act, 2018.

Recovery is of 150 litres of *Mahua* liquor.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that it
appears from the F.I.R. as well as seizure list that recovery has
been made from the motorcycle in question and the petitioner is
neither the owner nor the rider of the motorcycle in question .
He further submits that the petitioner has no concern with the
alleged recovery of illicit liquor or the motorcycle in question



and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 20.10.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, petitioner has no concern with the alleged recovery of illicit liquor and the motorcycle in question and the petitioner having clean antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Tankuppa P.S. Case No. 139 of 2022, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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